IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 17390 of 2004

Between:

K. Prithvi Raj, S/o. K. Rayappa,
R/o.H.No.14-11-203, Boriya Galli, Jency Chourahi, Hyderabad.

..... PETITIONER

AND

The Vice Chairman & Managing Director, L.I.D.C.A.P.Limited,
(A State Government Undertaking), 5-77, Darga Hussain Shawali,
Golconda Post, Hyderabad - 500 008.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction of Writ more particularly one in the nature of Writ of Mandamus directing the Respondents to consider the dispose off the Representation of the Petitioner given in August 2004 for payment of subsistence allowance on par with similarly situated employees and consequently declare the inaction of the Respondent in considering the representation given in August 2004 as bad in law and against Principles of Natural Justice.

Counsel for the Petitioner:MR.B.SUDHAKAR REDDY & ASSOCIATES

Counsel for the Respondent:

The Court at the admission stage made the following :

ORDER:

The petitioner is working as a Marketing Assistant in the respondent-Corporation. He was kept under suspension in June, 1998. He made an application on 04-01-

1999 for payment of subsistence allowance, and claimed 75% of the pay and allowances from 01-02-1999 to 28-12-1999.

The petitioner contends that according to the rules he is entitled for 75% of the pay and allowances, after six months of the period of suspension and as the respondent did not pay the allowances at the rate of 75%, he made a representation in August, 2004 for the release of the substance allowance as per the existing rules. Since there was no order passed by the respondent, the petitioner approached this Court seeking a direction to the respondent to dispose of the representation regarding his claim for substance allowance at the rate of 75% of the pay and allowances.

Having regard to the submissions made by the petitioner, the respondent is directed to pass appropriate orders on the representation of the petitioner given in August, 2004 according to the existing rules and release the balance amount, if any, payable to him for the period of suspension within four weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No order as to costs.

_____

Dr. G. Yethirajulu, J.

Dt: 30th September, 2004.

Rns.

To

1. The Vice Chairman & Managing Director, L.I.D.C.A.P.Limited,
(A State Government Undertaking), 5-77, Darga Hussain Shawali,
Golconda Post, Hyderabad - 500 008.

2. Two CD copies.